

November 14, 2008

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20556

Re: *Federal-State Board on Universal Service*, CC Docket No. 96-45;  
*High-Cost Universal Service Support*, WC Docket No. 05-337  
*Written Ex Parte Filing*

Dear Ms. Dortch:

The undersigned Alaska carriers, ACS, MTA, and GCI<sup>1</sup> together, the “Alaska Providers”), write to express great concern about the continued inability to implement the Commission’s established universal service policy that CETCs serving Alaska Native regions and tribal lands may be excepted from high cost support reductions under the CETC cap and urge expedited resolution of this matter.<sup>2</sup> We previously wrote to Chairman Martin on October 27, 2008 to suggest a way in which conflicting post-order interpretations of the tribal lands exclusion could be resolved so that USAC can implement the exclusion and CETCs in these areas can begin to elect the tribal lands exclusion.<sup>3</sup> As reflected in that letter, although each of us has taken different positions on the scope of the exception adopted last May, we all agree with common purpose, as a means of finally getting the exception in place, that the FCC should provide uncapped support on all lines served in Covered Locations.<sup>4</sup>

It is now critical to resolve and implement the tribal lands exclusion, which does not depend at all on resolution of any issue of long term universal service or intercarrier compensation reform. On October 31, 2008, USAC reported to the Commission in its quarterly USF filing that it has taken the steps necessary to implement the interim cap. Per line support is now being reduced by ten percent, which means that the cap has started to impact areas that the Commission has already decided should not face support reductions. The failure to complete the steps needed to effectuate the Commission’s Alaska Native and tribal lands exception from the cap is now effectively operating to repeal that policy.

There appears to be strong agreement among all the Commissioners of the need to take the necessary steps to implement the Alaska Native regions and tribal lands policy. In addition

---

<sup>1</sup> GCI subsidiaries United Utilities, Inc., Unicom, and Alaska DigiTel also join in support of the letter.

<sup>2</sup> *High-Cost Universal Service Support; Federal-State Joint Board on Universal Service; Alltel Communications, Inc., et al. Petitions for Designation as Eligible Telecommunications Carriers; RCC Minnesota, Inc. and RCC Atlantic, Inc. New Hampshire ETC Designation Amendment*, 23 FCC Rcd 8834, 8848-49 (2008).

<sup>3</sup> Letter from Alaska Providers to Kevin Martin, Chairman, Federal Communications Commission, WC Docket No. 05-337 & CC Docket No. 96-45 (filed Oct. 27, 2008).

<sup>4</sup> *Id.*

Ms. Marlene H. Dortch  
November 14, 2008  
Page 2

to the original support for the underlying policy, four Commissioners have recently advocated doing so by the next Commission meeting, indicating consensus for "clarifying the implementation of the Alaska Native regions and tribal lands exception to the CETC cap adopted on May 1, 2008" as well as "the need for special consideration for such areas."<sup>5</sup> We urge the Commission to move forward immediately to resolve this issue consistent with our letter of October 27.

Sincerely,



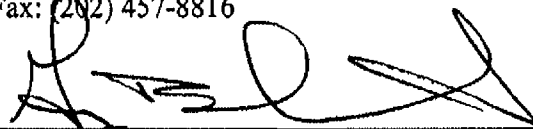
ALASKA COMMUNICATIONS SYSTEMS

Leonard Steinberg  
General Counsel and Corporate Secretary  
600 Telephone Ave., #500  
Anchorage, AK 99503  
Tel: (907) 297-3000  
Fax: (907) 297-3153



GENERAL COMMUNICATION, INC.

Tina Pidgeon  
Vice President, Federal Regulatory Affairs  
1130 17<sup>th</sup> Street, NW, Suite 312  
Washington, DC 20036  
Tel: (202) 457-8814  
Fax: (202) 457-8816



MATANUSKA TELEPHONE ASSOCIATION, INC.

Greg Berberich  
Chief Executive Officer  
1740 S. Chugach Street  
Palmer, AK 99645  
Tel: (907) 745-3211  
Fax: (907) 761-2677

---

<sup>5</sup> Joint Statement of Commissioners Michael J. Copps, Jonathan S. Adelstein, Deborah Taylor Tate and Robert M. McDowell on *High-Cost Universal Service Support*, WC Docket No. 05-337; *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45; *Lifeline and Link Up*, WC Docket No. 03-109; *Universal Service Contribution Methodology*, WC Docket No. 06-122; *Numbering Resource Optimization*, CC Docket No. 99-200; *Implementation of the Local Competition Provisions in the Telecommunications Act of 1996*, CC Docket No. 96-98; *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92; *Intercarrier Compensation for ISP-Bound Traffic*, CC Docket No. 99-68; *IP-Enabled Services*, WC Docket No. 04-36 (rel. Nov. 5, 2008).

Ms. Marlene H. Dortch  
November 14, 2008  
Page 3

cc: Commissioner Michael J. Copps  
Commissioner Jonathan S. Adelstein  
Commissioner Deborah Taylor Tate  
Commissioner Robert M. McDowell  
Dan Gonzalez  
Amy Bender  
Scott Bergmann  
Scott Deutchman  
Greg Orlando  
Nick Alexander  
Dana Shaffer  
Randy Clarke  
Jennifer McKee